

the Federal Government starts mandating when workers should sleep. We just can't go there.

So I am going to support Senator COLLINS' legislation that is going to back up these no-commonsense rules and ask them to come back with another suggestion that will result in the same safety but not mandate when Americans should sleep. I think adults who drive trucks can make those decisions for themselves.

If the law is that they have to rest 8 or 9 hours in a 24-hour period, I think they are responsible enough to do so. If they are not, then they should be held accountable and prosecuted for reckless driving—which happens frequently—and they should then be appropriately punished, whether by fine or revocation of their license or jail time. But I cannot be part of any government that is making regulations demanding that people sleep a certain hour—not from midnight to 4, not from 2:00 to 7:00, but from 1:00 to 5:00 on consecutive nights a week. I just don't understand it, and I am not going to support it.

So this is not about safety; this is about government overreach to a point where it is almost visceral. There has to be a better way to come up with a rule to get our highways safe. I am open to it. Not this rule.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

#### REMEMBERING LISA RADOGNO

Mr. KIRK. Mr. President, I rise to memorialize the life of my Washington, DC, scheduler who passed away yesterday, Lisa Radogno.

This is a picture of her. I am going to give these remarks as if I am talking to Lisa because this blow was such a severe one that we suffered yesterday.

Lisa Radogno was one of the brightest lights of my Washington, DC, office. She was such a strong supporter of mine, even stronger than I.

Lisa was a diehard White Sox fan. She even had a White Sox logo tattoo on her ankle. We will miss her so very dearly.

Lisa, I will tell you that this loss is—sorry, Mr. President. I get very emotional about this death that just happened yesterday. I want to memorialize Lisa, who was so much like her mother, State senator Christine Radogno of Lemont, dedicated to the service of the people of Illinois. She was a fierce, fierce worker on campaigns and here in the Senate. She is somebody I will miss with every fiber of my being. She was with me in the House of Representa-

tives and here in the Senate and was so proud to represent the people of Illinois here in the Senate.

To have her die yesterday was a big blow, especially for a young woman in her thirties. It is a real shock to my staff to have Lisa gone from us.

Lisa, these days are going to be really hard. I will just say you ran the schedule so perfectly. It was a work of art, in your case, to do the complicated workings of a House office, of a Senate office, to be so perfect and so young in what you did. The staff is all now in shock. You were certainly the social light of our operation here in Washington, DC.

I spent a good part of last night on your Facebook page looking at pictures of you, and it really caused me to cry a bunch. I will miss you, especially in our office, and watching you online quite a bit, hoping that Facebook leaves up those pictures forever so I can always take a quick look at your smile and remember your humor, which was always right at the ready.

Lisa was such a strong supporter of my office. To have her lost like this so suddenly was a big shock to us. This is pretty hard for all of us in the Kirk operation to handle.

Thank you Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I know we have pending now the appropriations bill for Commerce, Justice, and Science, which contains an important issue I have offered an amendment on, along with Senator CHAMBLISS, who is the ranking Republican on the intelligence committee, as well as Senators WICKER, INHOFE, CRUZ, GRAHAM, and BLUNT, all of whom serve on the Armed Services Committee, and Senator VITTER and Senator KIRK. Our amendment would prohibit the administration from transferring to or releasing to the custody or control of any foreign country Guantanamo detainees whom our own Guantanamo Review Task Force has recommended for continued law-of-war detention.

This is a task force that looks at all the circumstances surrounding those who are being held at Guantanamo, including whether they continue to represent a danger to our country and to our allies if they were to be released.

Our amendment does three things. It prohibits the transfer to foreign countries of these detainees, that this group the administration put together to review each of the detainees and their status at Guantanamo has recommended them for continued law-of-war detention.

These are the worst of the worst. These individuals have been determined to be the most dangerous to continue to present a risk to the United States of America and to our allies if they were to be released.

So our amendment is pretty straightforward. It simply says they cannot be transferred to third-party countries—

or transferred to the United States of America, for that matter—and that they shall remain at the secure detention facility, Guantanamo Bay, based on the recommendation of the Guantanamo Review Task Force.

Our amendment would also prevent the transfer of Guantanamo detainees to countries that have had prior instances of Guantanamo detainees being transferred to that country and then those detainees getting back in the fight against us.

It is pretty common sense. If we have a history with a country where we previously, under either the Bush administration or the Obama administration, transferred the detainees there and then they have been released and have gotten back in the fight against us or our allies, why would we want to transfer them to this type of country again? Because, obviously, these countries cannot guarantee the security of these detainees, and it puts us and our allies at risk.

Finally, our amendment would prohibit the transfer of Guantanamo detainees to countries that have failed to honor their previous commitments to the United States of America to monitor, detain, or control the travel of former Guantanamo detainees. Again, if we have had a prior agreement with a country and we have transferred a detainee or detainees there, and they have failed to honor those agreements, why would we want to transfer detainees there now?

The most recent instance of this was the five Taliban dream team who were transferred to Qatar, because the country of Qatar actually had a prior instance where they failed to honor their commitments to us with regard to how they would treat the detention and travel restrictions on a Guantanamo detainee.

I am deeply concerned about the national security implications of the five detainees who were transferred in the prisoner swap. In fact, having asked our intelligence officials about what will happen to these five detainees, what I have heard from them is on a scale of 1 to 10, 4 out of 5 of those detainees are a 10 for 10 on the likelihood to get back in the battle against us or our allies. The fifth is about an 80-10 scale. We have a 29-percent reengagement rate or recidivism rate from those we have held at Guantanamo, meaning 29 percent of them get back in the fight against our country, against us, against our interests after they have been captured and put in Guantanamo.

So we have a history here, and it is important if the administration is going to transfer anyone out of Guantanamo they not transfer individuals who have been found too dangerous to be let loose because they have been designated for continued law-of-war detention and they present too much of a risk to our country and the world. Second, to not transfer these individuals to countries where we have already

transferred people in the past—and guess what, they couldn't keep them secure and they got back in the fight against us and our allies. Third, to prohibit transfer to countries that have not honored prior commitments when we have transferred a Gitmo detainee there, and that would apply to the country the President most recently released the five Taliban dream team to who, unfortunately, are going to get back in the fight, and that 29 percent are those who have reengaged in the fight or are suspected of reengaging in the fight against us.

Our amendment is straightforward. It is focused on making sure the terrorists held at Guantanamo—the most dangerous of those individuals who present a threat to our country—are not put in a position where they can get back in the fight against us or against our allies.

We have to think about the men and women in uniform who have put their lives on the line to capture these individuals, in some instances, and honor our commitment to them to make sure we can hold the country safe and secure, to not allow those who have been deemed the most dangerous at Guantanamo for continued law of war detention to be transferred to a third-party country or not allow us to transfer them to countries where we already have a history of either detainees getting back in the fight from that country or the country not honoring its commitment to the United States of America.

My prior job was as a prosecutor. I will tell you, it is just a matter of common sense. This is a matter of protecting the American people from dangerous captured terrorists who we already have in our custody, to make sure we are not putting them back in a position where they can harm us again.

I think that is something that America would expect of us. That is what I believe our amendment would do. I hope, as we take up this appropriations bill, this amendment will be considered so we can pass it to ensure that dangerous Guantanamo detainees are not put in a position again where they can harm us, our people or our allies because too many of them, unfortunately, have already committed acts against our country, our people, and our allies, and shame on us if we do not do everything we can to prevent that from happening again.

I thank the Chair.

I yield the floor.

## EXECUTIVE SESSION

# NOMINATION OF GUSTAVO VELASQUEZ AGUILAR TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

## NOMINATION OF BRIAN A. NICHOLS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU

## NOMINATION OF J. MARK MCWATTERS TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD

## NOMINATION OF CHRISTINE E. WORMUTH TO BE UNDER SECRETARY OF DEFENSE FOR POLICY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The bill clerk read the nominations of Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development; Brian A. Nichols, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru; J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration Board; and Christine E. Wormuth, of Virginia, to be Under Secretary of Defense for Policy.

## VOTE ON AGUILAR NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development?

Ms. AYOTTE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr.

COCHRAN), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Kansas (Mr. MORAN), and the Senator from South Dakota (Mr. THUNE).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 38, as follows:

[Rollcall Vote No. 201 Ex.]

## YEAS—54

Baldwin	Harkin	Murphy
Begich	Heinrich	Murray
Bennet	Heitkamp	Nelson
Blumenthal	Heller	Pryor
Booker	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Sanders
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	Markey	Walsh
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Hagan	Mikulski	Wyden

## NAYS—38

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—8

Burr	Johanns	Schatz
Coburn	Moran	Thune
Cochran	Rockefeller	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—CALENDAR NO. 428, H. R. 4660

Mr. REID. Mr. President, I ask unanimous consent that postcloture time on the motion to proceed be considered expired; that the Senate proceed to vote on adoption of the motion to proceed; that if the motion is agreed to, Senator MIKULSKI or her designee be recognized to offer substitute amendment No. 3244, which consists of the text of S. 2437, Calendar No. 411, division A; the text of S. 2438, Calendar No. 412, as division B; and the text of S. 2389, Calendar No. 390, as division C; provided further that for the consideration of division B, H. R. 4745, Calendar No. 430, and for the consideration of division C, H. R. 4800, as reported by the House Committee on Appropriations, be deemed House-passed text in H. R. 4660 for purposes of rule XVI; further, that the substitute amendment offered by Senator MIKULSKI or her designee be considered a committee amendment for the purposes of paragraph 1 of rule XVI; further, all amendments or motions to commit be subject to a 60-vote threshold.

Mr. President, before the Presiding Officer calls for approval of this consent, let me say a few words so everyone understands all of the procedural stuff.